

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**KENNY NOLLEY**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 3:16-CV-122-MPM-JMV**

**ROBERT C. LITTLEJOHN, et al.**

**DEFENDANTS**

**ORDER STAYING CERTAIN PROCEEDINGS  
AND FOR SHOW OF CAUSE**

Local Uniform Civil Rule 16(b)(3)(B) provides that “[f]iling...a jurisdiction defense motion stays the attorney conference and disclosure requirements and all discovery **not related** to the issue pending the court’s ruling on the motion, including any appeal.” L.U. Civ. R. 16(b)(3)(B) (emphasis added). Because a defendant has raised the issue of personal jurisdiction by separate motion [11], staying certain proceedings is appropriate. Moreover, through its own review of the record, the court has determined it is doubtful this court has diversity jurisdiction over the case.<sup>1</sup> The Notice of Removal [1] does not adequately show why the Mississippi citizenship of Defendant Robin Littlejohn should be disregarded for purposes of determining whether complete diversity of citizenship exists between Plaintiff and all defendants.

**IT IS, THEREFORE, ORDERED** that the aforementioned proceedings and the Case Management Conference are hereby **STAYED** pending further order of the court. Deadlines related to the jurisdiction motion [11] are not affected by this order.

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<sup>1</sup> Though Plaintiff has not raised the issue of jurisdiction, the Court must make an independent inquiry into its jurisdiction. *Grupo Dataflux v. Atlas Global Group, L.P.*, 541 U.S. 567, 593 (2004) (Ginsburg, J., dissenting) (citing *Bender v. Williamsport Area Sch. Dist.*, 475 U.S. 534, 541 (1986)) (“[I]t is the obligation of both district court and counsel to be alert to jurisdictional requirements.”).

**IT IS FURTHER ORDERED** that the Defendants shall, within 14 days of this date, show cause, including citation to legal authority, why this case should not be remanded for lack of diversity jurisdiction.

**SO ORDERED** this, the 30<sup>th</sup> day of June, 2016.

/s/ Jane M. Virden

**UNITED STATES MAGISTRATE JUDGE**

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